

11/13/01




JC525 U.S. PTO

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (10/01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

A

JC525 U.S. PTO  
10/010813  
11/13/01

UTILITY PATENT APPLICATION TRANSMITTAL		Attorney Docket No.		MCD124																																																																																																																															
(Only for new nonprovisional applications under 37 CFR 1.53(b))		First Inventor		Samuel C. Lay, et al.																																																																																																																															
		Title		METHOD AND APPARATUS FOR PROVIDING OPTIMIZED HIGH SPEED LINK UTILIZATION																																																																																																																															
		Express Mail Label No.		EL 791521484 US																																																																																																																															
APPLICATION ELEMENTS				Assistant Commissioner for Patents Box Patent Application Washington, DC 20231																																																																																																																															
<div>1. <input checked="" type="checkbox"/> Fee Transmittal Form (submit an original and a duplicate for fee processing)</div> <div>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</div> <div>3. <input checked="" type="checkbox"/> Specification [ total pages <u>27</u> ] (preferred Arrangement set forth below)<ul style="list-style-type: none"><li>- Descriptive title of the Invention</li><li>- Cross References to Related Applications</li><li>- Statement Regarding Fed sponsored R&amp;D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul></div> <div>4. <input checked="" type="checkbox"/> Drawing(s) [ total sheets <u>6</u> ]</div> <div>5. <input checked="" type="checkbox"/> Oath or Declaration [ total sheets <u>3</u> ]<div>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</div><div>b. <input type="checkbox"/> Copy from prior appl. (37 C.F.R. § 1.63(d))<div>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).</div></div></div> <div>6. <input type="checkbox"/> Application Data Sheet. (See 37 CFR 1.76</div> <div>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</div> <div>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)<div>a. <input type="checkbox"/> Computer Readable Form</div><div>b. <input type="checkbox"/> Specification Sequence Listing on:<div>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</div><div>ii. <input type="checkbox"/> paper</div></div><div>c. <input type="checkbox"/> Statements verifying identity of above copies</div></div> <tr><td colspan="6">ACCOMPANYING APPLICATION PARTS</td></tr> <tr><td colspan="6">9. <input checked="" type="checkbox"/> Assignment Papers (coversheet/document(s))</td></tr> <tr><td colspan="6">10. <input type="checkbox"/> 37 CFR. 3.73(b) Statement <input checked="" type="checkbox"/> Power of (when there is an assignee) Attorney</td></tr> <tr><td colspan="6">11. <input type="checkbox"/> English Translation Document</td></tr> <tr><td colspan="6">12. <input type="checkbox"/> IDS &amp; Form 1449 <input type="checkbox"/> Copies of IDS Citations</td></tr> <tr><td colspan="6">13. <input type="checkbox"/> Preliminary Amendment</td></tr> <tr><td colspan="6">14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)</td></tr> <tr><td colspan="6">15. <input type="checkbox"/> Certified Copy of Priority Document(s)</td></tr> <tr><td colspan="6">16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</td></tr> <tr><td colspan="6">17. <input type="checkbox"/> Other: Certificate of Mailing by Express Mail</td></tr> <tr><td colspan="6">17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: <u>  /  </u> Prior application information: Examiner: <u>                    </u> Group/Art Unit: <u>                    </u> FOR CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.</td></tr> <tr><td colspan="6">17. CORRESPONDENCE ADDRESS</td></tr> <tr><td colspan="6"><input type="checkbox"/> Customer Number or Bar Code Label or <input checked="" type="checkbox"/> Correspondence address below</td></tr> <tr><td colspan="2">Name</td><td colspan="4">Stuart T. Langley, Esq.</td></tr> <tr><td colspan="2"></td><td colspan="4">Hogan &amp; Hartson, LLP</td></tr> <tr><td colspan="2">Address</td><td colspan="4">1200 17<sup>th</sup> Street Suite 1500</td></tr> <tr><td>City</td><td>Denver</td><td>State</td><td>CO</td><td>ZIP</td><td>80202</td></tr> <tr><td>Country</td><td>US</td><td>Telephone</td><td>(720) 406-5335</td><td>Fax</td><td>(720) 406-5301</td></tr> <tr><td colspan="2">Name (Print/Type)</td><td colspan="2">Stuart T. Langley</td><td colspan="2">Registration No.</td></tr> <tr><td colspan="2">(Signature)</td><td colspan="2"></td><td colspan="2">33,940</td></tr> <tr><td colspan="2"></td><td colspan="2">Date</td><td colspan="2">11/13/01</td></tr>						ACCOMPANYING APPLICATION PARTS						9. <input checked="" type="checkbox"/> Assignment Papers (coversheet/document(s))						10. <input type="checkbox"/> 37 CFR. 3.73(b) Statement <input checked="" type="checkbox"/> Power of (when there is an assignee) Attorney						11. <input type="checkbox"/> English Translation Document						12. <input type="checkbox"/> IDS & Form 1449 <input type="checkbox"/> Copies of IDS Citations						13. <input type="checkbox"/> Preliminary Amendment						14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)						15. <input type="checkbox"/> Certified Copy of Priority Document(s)						16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.						17. <input type="checkbox"/> Other: Certificate of Mailing by Express Mail						17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: <u>  /  </u> Prior application information: Examiner: <u>                    </u> Group/Art Unit: <u>                    </u> FOR CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.						17. CORRESPONDENCE ADDRESS						<input type="checkbox"/> Customer Number or Bar Code Label or <input checked="" type="checkbox"/> Correspondence address below						Name		Stuart T. Langley, Esq.						Hogan & Hartson, LLP				Address		1200 17 <sup>th</sup> Street Suite 1500				City	Denver	State	CO	ZIP	80202	Country	US	Telephone	(720) 406-5335	Fax	(720) 406-5301	Name (Print/Type)		Stuart T. Langley		Registration No.		(Signature)				33,940				Date		11/13/01	
ACCOMPANYING APPLICATION PARTS																																																																																																																																			
9. <input checked="" type="checkbox"/> Assignment Papers (coversheet/document(s))																																																																																																																																			
10. <input type="checkbox"/> 37 CFR. 3.73(b) Statement <input checked="" type="checkbox"/> Power of (when there is an assignee) Attorney																																																																																																																																			
11. <input type="checkbox"/> English Translation Document																																																																																																																																			
12. <input type="checkbox"/> IDS & Form 1449 <input type="checkbox"/> Copies of IDS Citations																																																																																																																																			
13. <input type="checkbox"/> Preliminary Amendment																																																																																																																																			
14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)																																																																																																																																			
15. <input type="checkbox"/> Certified Copy of Priority Document(s)																																																																																																																																			
16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.																																																																																																																																			
17. <input type="checkbox"/> Other: Certificate of Mailing by Express Mail																																																																																																																																			
17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: <u>  /  </u> Prior application information: Examiner: <u>                    </u> Group/Art Unit: <u>                    </u> FOR CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.																																																																																																																																			
17. CORRESPONDENCE ADDRESS																																																																																																																																			
<input type="checkbox"/> Customer Number or Bar Code Label or <input checked="" type="checkbox"/> Correspondence address below																																																																																																																																			
Name		Stuart T. Langley, Esq.																																																																																																																																	
		Hogan & Hartson, LLP																																																																																																																																	
Address		1200 17 <sup>th</sup> Street Suite 1500																																																																																																																																	
City	Denver	State	CO	ZIP	80202																																																																																																																														
Country	US	Telephone	(720) 406-5335	Fax	(720) 406-5301																																																																																																																														
Name (Print/Type)		Stuart T. Langley		Registration No.																																																																																																																															
(Signature)				33,940																																																																																																																															
		Date		11/13/01																																																																																																																															

Under the Paperwork Reduction Act of 1995, no persons are required to respond to this collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

## Complete if Known

Application Number	Not Yet Assigned
Filing Date	Herewith
First Named Inventor	Samuel C. Lay et al.
Examiner Name	Not Yet Assigned
Group / Art Unit	Not Yet Assigned
Attorney Docket No.	MCD124

TOTAL AMOUNT OF PAYMENT (\$) (\$)**954.00**

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number **50-1123**

Deposit Account Name **Hogan & Hartson L.L.P.**

☒ Charge Any Additional Fee Required Under 37 CFR § 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	40.00
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify)			

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility Filing Fee	740.00
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)**740.00**

#### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
25	-20**= 5	18	90.00
Independent Claims 4	-3**= 1	84	84.00
Multiple Dependent			0.00

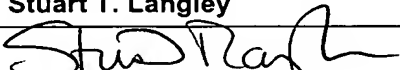
\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 84	202 42	Independent claims in excess of 3	
104 280	204 140	Multiple dependent claim, if not paid	
109 84	209 42	**Reissue independent claims over original patent	
110 18	210 9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)**174.00**

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)**40.00**

### SUBMITTED BY Complete (if applicable)

Name (Print/Type) <b>Stuart T. Langley</b>	Registration No. (Attorney/Agent) <b>33,940</b>	Telephone <b>(720) 406-5335</b>
Signature 	Date <b>11/13/01</b>	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Samuel C. Lay, et al.

Serial No. \_\_\_\_\_

Filed: Herewith

For: METHOD AND APPARATUS  
FOR PROVIDING OPTIMIZED HIGH  
SPEED LINK UTILIZATION

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

CERTIFICATE OF MAILING BY EXPRESS MAIL

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned hereby certifies that the following documents:

- Utility Patent Application Transmittal
- Utility Patent Application  
(27) pages of specification  
(6) sheets of drawings
- Declaration (executed)
- Recordation Form Cover Sheet and Assignment (executed)
- Fee Transmittal
- Check in the amount of \$954.00
- Certificate of Mailing by Express Mail
- Return Receipt Post Card

relating to the above application, were deposited as "Express Mail", Mailing Label No.  
EL 791521484US, with the United States Postal Service, addressed to Box PATENT APPLICATION, The  
Assistant Commissioner for Patents, Washington, D.C., 20231, November 13, 2001.

11/13/01  
\_\_\_\_\_  
Date

11/13/01  
\_\_\_\_\_  
Date

Stuart T. Langley  
\_\_\_\_\_  
Mailer

Stuart T. Langley  
\_\_\_\_\_  
Stuart T. Langley, Esq.

Reg. No. 33,940  
HOGAN & HARTSON LLP  
One Tabor Center  
1200 17th Street, Suite 1500  
Denver, Colorado 80202  
(720) 406-5335 Tel  
(303) 899-7333 Fax